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Date: May 18, 2004

To: Examiner J. Allen Shriver

Fax: 703-872-9306

At: U.S. Patent and Trademark Office

From: Ralph E. Smith  
Registration No. 35,474Phone: 248-944-6519  
Fax: 248-944-6537Total number of pages, including cover sheet: 10

If you do not receive all the pages, please call sender as soon as possible.  
Thank you.

**Comments:**

RE: Resubmission of Petition to Withdraw Abandonment  
U.S. Serial No. 09/373,038, filed August 12, 1999  
"Sled System for Mounting Parking Brake and Shift Assemblies"  
Attorney Ref. No. 98-26

## CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8)

Date of transmission: May 18, 2004. I hereby certify that this paper is being facsimile transmitted to Art Unit 3618 of the United States Patent and Trademark Office at fax number 703-872-9306 on the date indicated above.

TERESA L. TOMAYKO

NAME OF PERSON MAILING PAPER

SIGNATURE

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DaimlerChrysler Corporation  
CIMS 483-02-19  
800 Chrysler Drive East  
Auburn Hills, MI 48326-2757

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Larry W. Bell et al.

Serial No.: 09/373,038

Examiner: J. Allen Shriver

Filed: August 12, 1999

Art Unit: 3618

For: SLED SYSTEM FOR MOUNTING PARKING BRAKE AND SHIFT ASSEMBLIES

Attorney Docket No.: 98-26

**TRANSMITTAL LETTER**

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


In a phone conference today to inquire on the status of the above-referenced application, we were advised that the Patent Office records do not show receipt of our Petition to Withdraw Abandonment Based on Failure to Receive Office Action filed on January 4, 2002 in this case. Accordingly, we are resubmitting a copy of the Petition as well as a copy of the postcard evidencing receipt of the Petition.

Applicant respectfully requests expeditious and favorable action on this Petition.

If a telephone conference would expedite allowance or resolve any further questions, such a conference with the undersigned is invited at the convenience of the Examiner.

Respectfully submitted,

By:

  
Ralph E. Smith  
Reg. No. 35,474  
Attorney for Applicant

Dated:

5/18/04  
CIMS 483-02-19

DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION  
DAIMLER CHRYSLER TECHNOLOGY CENTER  
800 CHRYSLER DRIVE EAST  
AUBURN HILLS, MI 48326-2757  
248-944-6519

The Patent and Trademark Office is kindly requested to advise that the accompanying paper:

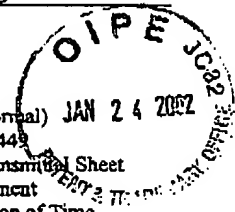
Inventor(s): Bell et al. Serial/Patent No. 09/373,038  
Date: 1-4-02 Attorney: RES File No.: 98-26

- PATENTS -

<input type="checkbox"/> New Patent Application:	<input type="checkbox"/> Certificate of Express Mail
<input type="checkbox"/> CON <input type="checkbox"/> CIP <input type="checkbox"/> DIV <input type="checkbox"/> FWC	<input type="checkbox"/> Page(s) Specification
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<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Recordation Cover Sheet
<input type="checkbox"/> Appeal Brief	<input type="checkbox"/> Response/Amendment
<input type="checkbox"/> Issue Fee Transmittal	<input type="checkbox"/> Priority Document
<input type="checkbox"/> Maint. Fee Transmittal	<input type="checkbox"/> Make of Record Letter
	<input type="checkbox"/> PTO 1449
	<input type="checkbox"/> Fee Transmittal Sheet
	<input type="checkbox"/> Assignment
	<input type="checkbox"/> Extension of Time
	<input type="checkbox"/> Status Inquiry
	<input type="checkbox"/> Drawing Transmittal

Petition to Withdraw Abandonment, Statement of Facts  
Other: of T. Good, Statement of Facts of R. Smith, One-Page  
Docket

has received the date-of-receipt stamp which is impressed hereon.  
COURTESY OF MAIL ROOM



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****OFFICIAL**

In re application of:

Larry W. Bell et al.

Serial No.: 09/373,038

Examiner: J. Allen Shriver

Filed: August 12, 1999

Art Unit: 3611

For: SLED SYSTEM FOR MOUNTING PARKING BRAKE AND SHIFT ASSEMBLIES

Attorney Docket No.: 98-26

**PETITION TO WITHDRAW ABANDONMENT  
BASED ON FAILURE TO RECEIVE OFFICE ACTION**Commissioner of Patents and Trademarks  
United States Patent and Trademark Office  
Washington, D.C. 20231**CERTIFICATE OF MAILING (37 CFR 1.8)**

Date of Deposit with U.S. Postal Service January 4, 2002. I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to: Commissioner of Patents and Trademarks, United States Patent and Trademark Office, Washington, D.C. 20231.

Theresa M. Good  
NAME OF PERSON MAILING PAPERTheresa M. Good  
SIGNATURE

Sir:

In response to the Notice of Abandonment mailed on September 21, 2001, Applicants respectfully request reconsideration and withdrawal of the holding of abandonment based on failure to receive the office action mailed on February 2, 2001. In fact, no office action has ever been received by Applicants after Applicants' response to the U.S. Patent and Trademark Office filed on November 28, 2000.

In support of this Petition, Applicants have attached a copy of a docket report showing all items having a response due on May 2, 2001 (the cases are sorted by the initials of the attorney assigned to the case; the present application was assigned to "ML7," and any response to an office action would have appeared under the ML7 entry); a Statement of Facts by the undersigned attesting to a search and review of Applicants' file jacket and docket record indicating that an Office action was not received, and a Statement of Facts by a Theresa M. Good also attesting to

Serial No. 09/373.038

Attorney Dckt No. 98-26

the fact that the docket record was reviewed and indicates that no Office action was ever received after Applicants' response of November 28, 2000.

Therefore, Applicants respectfully request withdrawal of the holding of abandonment, and remailing of the Office action.

The Commissioner is authorized to charge the Petition fee of \$130.00 associated with this paper, as well as credit any refund or overpayment, to Deposit Account No. 03-1800. A copy of the first page of this response is enclosed for that purpose.

Respectfully submitted,

By:



Ralph E. Smith  
Reg. No. 35,474  
Attorney for Applicant

Dated: 1/04/2002

CIMS 483-02-19

DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION

DAIMLER CHRYSLER TECHNOLOGY CENTER

800 CHRYSLER DRIVE

AUBURN HILLS, MI 48326-2757

248-944-6519

Attorney Docket No. : 98-39

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Larry W. Bell et al.

Serial No.: 09/373,038

Examiner: J. Allen Shriver

Filed: August 12, 1999

Art Unit: 3611

For: SLED SYSTEM FOR MOUNTING PARKING BRAKE AND SHIFT ASSEMBLIES

Attorney Docket No.: 98-26

STATEMENT OF FACTS

Commissioner of Patents and Trademarks  
United States Patent and Trademark Office  
Washington, D.C. 20231

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Theresa M. Good  
NAME OF PERSON MAILING PAPER

Theresa M. Good  
SIGNATURE

Sir:

1. I, Theresa M. Good, am a patent administrative assistant currently employed by DaimlerChrysler Corporation.
2. I have over 18 years experience working in the area of intellectual property.
3. In response to receipt of the Notice of Abandonment mailed on September 21, 2001, I was asked to review our docketing database to determine whether the docket records were indicative of an office action being received in connection with the present application, as well as if a response was shown to be due on May 2, 2001.
4. Based on my review of our docketing database, I have found no entry or record in our docketing records that suggests an office action was ever received in

U.S. Serial No. 09/373,038

Attorney Docket No. 98-26

connection with the present application after mailing of the amendment on  
November 28, 2001.

Theresa M. Good

Theresa M. Good

1-4-02

Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Larry W. Bell et al.

Serial No.: 09/373,038

Examiner: J. Allen Shriver

Filed: August 12, 1999

Art Unit: 3611

For: SLED SYSTEM FOR MOUNTING PARKING BRAKE AND SHIFT ASSEMBLIES

Attorney Docket No.: 98-26

**STATEMENT OF FACTS**

Commissioner of Patents and Trademarks  
United States Patent and Trademark Office  
Washington, D.C. 20231

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Theresa M. Good  
NAME OF PERSON MAILING PAPER

Theresa M. Good  
SIGNATURE

Sir:

1. I, Ralph E. Smith, am a registered practitioner having a registration number of 35,474.
2. In response to a Notice of Abandonment mailed on September 21, 2001, I carefully searched Applicants' file jacket and docket records to determine whether an Office action mailed on February 2, 2001, had ever been received in connection with the present application.
3. Based on my search, I verified that our office is the address of record for the present application. The last document entered in Applicants' file (other than the Notice of Abandonment) is a "Response to Office Action" mailed on November 28, 2000, which was responsive to a first office action mailed August 29, 2000. I could find no evidence indicating that any Office Action mailed after the Response to Office Action was ever received by our office.



Serial No. 09/373,038

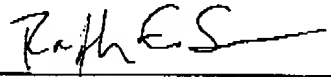
Attorney Dckt No. 98-26

4. Likewise, I could find no evidence that our docketing system ever indicated that a response was due for the present application based on an Office action mailed on February 2, 2001.

5. I further verify that the attached docket report listing all items having a due date of May 2, 2001, is an accurate report of my search of our docket records.

Respectfully submitted,

By:

  
Ralph E. Smith  
Reg. No. 35,474  
Attorney for Applicant

Dated: 1/04/2002  
CIMS 483-02-19

DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION  
DAIMLER CHRYSLER TECHNOLOGY CENTER  
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AUBURN HILLS, MI 48326-2757  
248-944-6519

## All Actions Due Report betw 5/2/2001 and 5/2/2001 with cod

Atty	Date Received	Due Date	Case #	Title	Appl. Filed	Title
<b>EPB</b>						
		5/2/2001	C92-869/US/1	Maintenance Fee - 7 year maintenance fee	12/18/1992	An Output Assembly For A North-South Transaxle
TOTAL: 1 Office Actions Received for EPB						
<b>JRY</b>						
	2/2/2001	5/2/2001	P705393/US/1	Allowance -	1/29/2000	METHOD OF PRODUCING A HOLLOW PROFILE WITH FLANGE
	2/2/2001	5/2/2001	C99-458/US/1	Amendments -	1/29/2000	APPARATUS FOR SECURING CARGO WITHIN A MOTOR VEHICLE
TOTAL: 2 Office Actions Received for JRY						
<b>LJS</b>						
		5/2/2001	C91-1632/US/1	Maintenance Fee - 7 year maintenance fee	9/23/1992	STEERING COLUMN TILT ASSIST
TOTAL: 1 Office Actions Received for LJS						
<b>RAF</b>						
	3/2/2001	5/2/2001	C97-1461/US/2	Missing Parts -	12/20/2000	DUAL ACTION HINGE ASSEMBLY
TOTAL: 1 Office Actions Received for RAF						
5 Office Actions Received for Entire Patent Office						
<b>1/4/2002</b>						
Office Actions Received between 5/2/2001 and 5/2/2001						1/1